

## MINUTES

### ALCOHOL AND TOBACCO COMMISSION

JUNE 19, 2007

#### CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Also in attendance was Superintendent Huskey.

Debbie Scott of IABR, Brad Klopfenstein of ILBA and Mark Webb were present as observers.

#### DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the June 5, 2007 meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

#### HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the June 19, 2007 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

#### CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the

inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Two hundred fifty-one (251) renewals approved, seventy-nine (79) new and/or transfer permits approved, seven (7) permits approved for catering, four (4) permits approved for first year escrow, four (4) permits approved for second year escrow, two (2) permits approved for third year escrow, one (1) permit approved for fourth year escrow and one (1) permit approved for fifth year escrow.

### **RENEWAL LETTERS AND WAIVER OF FEES**

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Sturtz and it was unanimously approved.

### **APPLICATIONS FOR DISCUSSION**

DL45-23052 RIDGEWAY PETROLEUM, INC., d/b/a MOBIL – Chairman Heath noted this is a new type 115 application with the local board voting three (3) to one (1) to disapprove.

Commissioner Guthrie stated the local board cited no need or desire for the services as the reason the local board recommended denial.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the new permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL45-23053 RIDGEWAY PETROLEUM, INC., d/b/a EXXON – Chairman Heath noted this is a new type 115 application with the local board voting three (3) to one (1) to disapprove.

Commissioner Guthrie stated the local board cited no need or desire for the services as the reason the local board recommended denial.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the new permit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

### **INACTIVE FILES**

Vice Chairman Johnson moved to make thirty-six (36) permits inactive. Six (6) permits are subject to auction and thirty (30) permits are not subject to auction. Motion seconded by Commissioner Guthrie and it was unanimously approved.

RR06-88437 WOLF RUN GOLF CLUB, INC. - Commissioner Guthrie stated this permit was made dead on 6-5-07.

Commissioner Guthrie moved to reactivate this permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

### **OLD BUSINESS**

No Old Business

### **NEW BUSINESS**

TOWN OF WESTFIELD PARTIAL CENSUS – Chairman Heath stated the Governor’s Office has directed this agency to take the numbers certified in the Executive Order 06-17, as evidence of the population of the Town of Westfield. The original population count of 9,293, plus the partial census count of 9,722, should be added together making a total population of 19,015. This would result in additional licenses as follows: 6 additional type 103 permits; 6 additional type 112 permits; 6 additional type 210 permits and 1 additional type 217 permit. These new permit openings would be subject to the ATC permit auction.

Commissioner Guthrie moved to accept the Governor’s Executive Order 06-17. Motion seconded by Commissioner Sturtz and it was unanimously approved.

### **POLICY DETERMINATIONS**

No Policy Determinations

### **ANNOUNCEMENTS**

No Announcements

### **ADJOURNMENT**

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

---

DAVE HEATH, CHAIRMAN

---

DAVID JOHNSON, VICE CHAIR

---

DALE STURTZ, COMMISSIONER

---

FRANK GUTHRIE, COMMISSIONER